

Kellermeier, Grace E.

From: Sneed, Danielle Y.
Sent: Thursday, August 24, 2023 2:24 PM
To: 'abuse@namesilo.com'
Cc: Meyer, Charles J
Subject: DMCA Notice: Copyright Infringement of Bear Archery Website & Trademark Infringement; Our Ref.: 34157-304
Attachments: Demand Letter to NameSilo.pdf; Bear Archery TM Registration.pdf; Examples of Infringement.pdf; WHOis Lookup.pdf

Dear NameSilo, LLC:

Please see the attached.

Sincerely,
Danielle Sneed

Danielle Y. Sneed | Legal Assistant to Charles J. Meyer and Andrew M. Nevill

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August 25, 2023

CHARLES J. MEYER
cjmeyer@uspatent.com
Direct: (317) 713-4934

NameSilo, LLC
25 N. 23rd Ave, Suite 100
Phoenix, AZ 85014
abuse@namesilo.com

Re: DMCA Notice: Copyright Infringement of Bear Archery, Inc. website
and Trademark Infringement
Our ref.: 34157-304

Dear NameSilo, LLC:

We represent Bear Archery, Inc. As part of their business, Bear Archery makes and sells various types of archery bows and related gear, accessories, and apparel. Specifically, Bear Archery offers compound bows, traditional bows, crossbows, and youth bows for sale under their trademark BEAR ARCHERY. BEAR ARCHERY is a highly successful brand and well known in the archery industry. BEAR ARCHERY brand bows, gear, accessories, and apparel is sold at Bear Archery's domain <https://www.beararchery.com>. Extensive photos and text promoting the BEAR ARCHERY branded products is published throughout the Bear Archery website.

Additionally, BEAR ARCHERY[®] is a registered trademark of Bear Archery, with U.S. Trademark Registration No. 6,021,733.

A website using the domain name www.beararcheryshop.com is pretending to be Bear Archery to purportedly sell BEAR ARCHERY branded compound bows, traditional bows, crossbows, and youth bows. The website operator has engaged in wholesale copying of Bear Archery's copyrighted content, including multiple photos and text on various pages of the beararcheryshop.com website. The website operator has also engaged in wholesale copying and use of Bear Archery's BEAR ARCHERY[®] trademark. This is causing actual consumer confusion.

This blatant and intentional copying can be seen by comparing the www.beararcheryshop.com website to Bear Archery's website www.beararchery.com.

An annotated version of the beararcheryshop.com webpage is attached with some of the instances of copyright and trademark infringement indicated.

A WHOIS lookup has indicated that NameSilo, LLC is the registrar for this website.

The website operator's copying and misuse of this content infringes Bear Archery's copyright rights in these images and text under 17 U.S.C. § 501. It further constitutes trademark infringement, passing off, false and misleading advertising, and unfair competition under the Lanham Act, including 15 U.S.C. § 1125, as well as violations of common law rights.

NameSilo, LLC
August 25, 2023
Page 2

I have a good faith belief that the use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

I swear, under penalty of perjury, that the information in this notification is accurate and that I am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

We request that NameSilo, LLC immediately remove the infringing website and all of its content.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles J. Meyer", is centered below the word "Sincerely,".

Charles J. Meyer

Enclosures
#2125006

United States of America

United States Patent and Trademark Office

BEAR ARCHERY

Reg. No. 6,021,733

Registered Mar. 31, 2020

**Int. Cl.: 9, 12, 16, 21, 25,
28**

Trademark

Principal Register

Bear Archery, Inc. (FLORIDA CORPORATION)
2200 Stringtown Road
Evansville, INDIANA 47711

CLASS 9: Telescopic bow sights for archery; Pre-recorded video discs, video recording and video tapes featuring archery

FIRST USE 00-00-2008; IN COMMERCE 00-00-2008

CLASS 12: License plate frames

FIRST USE 00-00-2017; IN COMMERCE 00-00-2017

CLASS 16: Decals; Decorative decals for vehicle windows

FIRST USE 00-00-2008; IN COMMERCE 00-00-2008

CLASS 21: Insulated containers for food or beverages; insulated sleeve holders for beverage cans; cups and mugs

FIRST USE 00-00-2017; IN COMMERCE 00-00-2017

CLASS 25: Shirts; t-shirts; sweatshirts; jackets; hoodies; hats; headwear

FIRST USE 00-00-2008; IN COMMERCE 00-00-2008

CLASS 28: Archery bows; crossbows; archery arrows; crossbows bolts; archery targets; archery quivers; archery bow strings; non-telescopic archery bow sights; archery finger tabs; archery arm guards; Gauntlets; archery bow cases; archery bow stringers; archery equipment, namely, arrows rests, strike plates, crossbow cocking aids, crossbow rail lube, bowstring wax, brush buttons, and archery target stands

FIRST USE 00-00-1940; IN COMMERCE 00-00-1940

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown: "ARCHERY"

SER. NO. 88-290,503, FILED 02-06-2019



Andrei Iancu

Director of the United States
Patent and Trademark Office



REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

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Infringement**

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BEAR ARCHERY FOR SALE ONLINE

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**Trademark
Infringement**

**Trademark
Infringement**

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Infringement**

SHOP BOWHUNTING & ARCHERY EQUIPMENT ONLINE

At Bear Archery Shop, we work hard to provide products that provide you with the greatest experience possible. Discover the technology that distinguishes our bows, from customizable let-off to market-leading vibration reduction technology. Bear Archery has been the industry standard for traditional recurves and longbows since 1933. Discover the all-new 2023 traditional line of bows.

SHOP NOW

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Infringement**

**Trademark
Infringement**

SHOP COMPOUND BOWS

Shop the market's most reliable and adjustable compound bows. Bear Archery compound bows offer great adjustability and customization for the price paid.

**Trademark
Infringement**

SHOP COMPOUND BOWS

Shop the market's most reliable and adjustable compound bows. Bear Archery compound bows offer great adjustability and customization for the price paid.

**Copyright
Infringement**

**Copyright
Infringement**



COMPOUND BOWS
BEAR ARCHERY ADAPT Right Hand/Left Hand 45-60
Lbs./55-70 Lbs. Throwback Tan
\$459.99

ADD TO BASKET

**Trademark
Infringement**

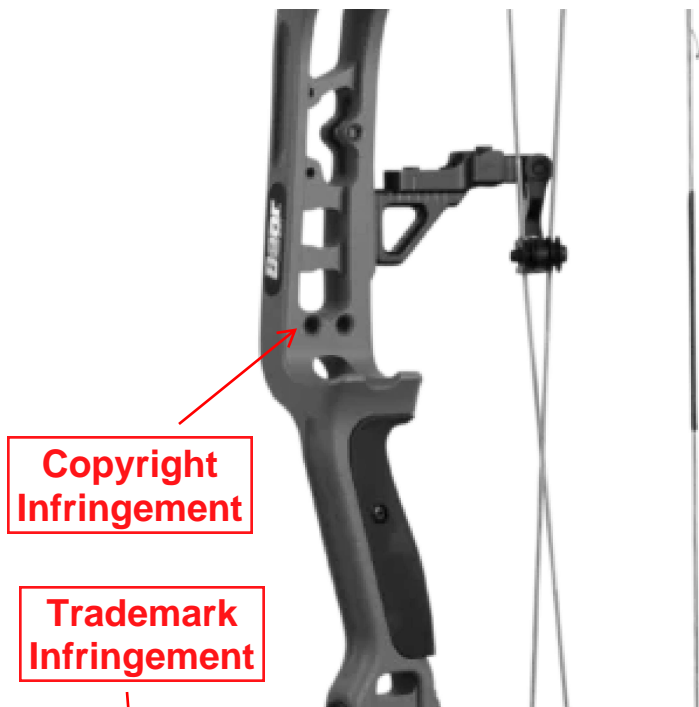


COMPOUND BOWS
BEAR ARCHERY EXECUTE 30 Right Hand/Left Hand
55-70 Lbs./45-60 Lbs. AVAILABLE. IN
\$1,199.99

SELECT OPTIONS

**Trademark
Infringement**

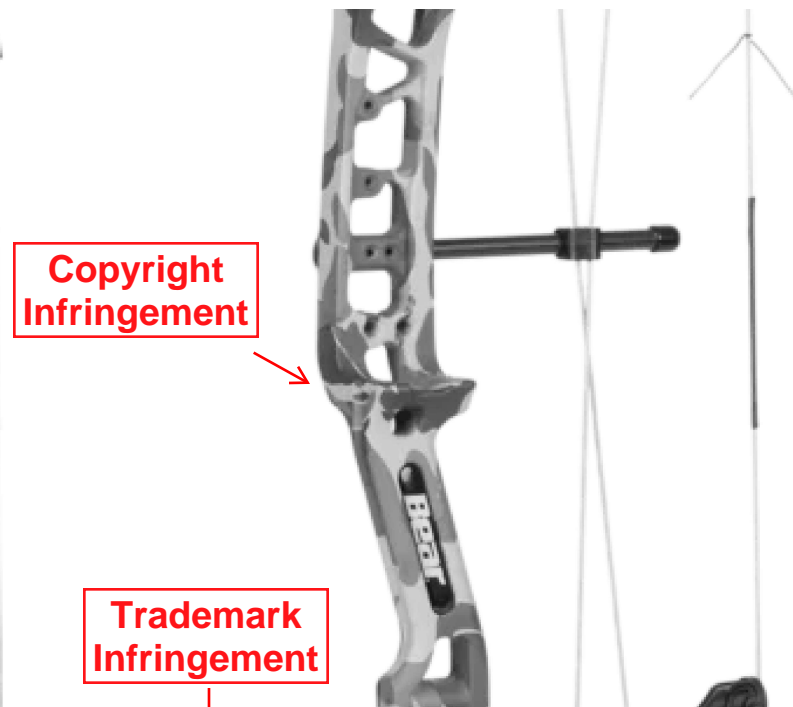
**Copyright
Infringement**



**Copyright
Infringement**

**Trademark
Infringement**

COMPOUND BOWS
BEAR ARCHERY EXECUTE 32 Right Hand/Left Hand
55-70 Lbs./45-60 Lbs. (AVAILABLE IN 8 COLOURS)
\$1,199.99



**Copyright
Infringement**

**Trademark
Infringement**

COMPOUND BOWS
BEAR ARCHERY WHITETAIL LEGEND PRO R/L HAND
45-60 Lbs./55-70 Lbs. 7 COLOURS
\$559.99

SELECT OPTIONS

SELECT OPTIONS

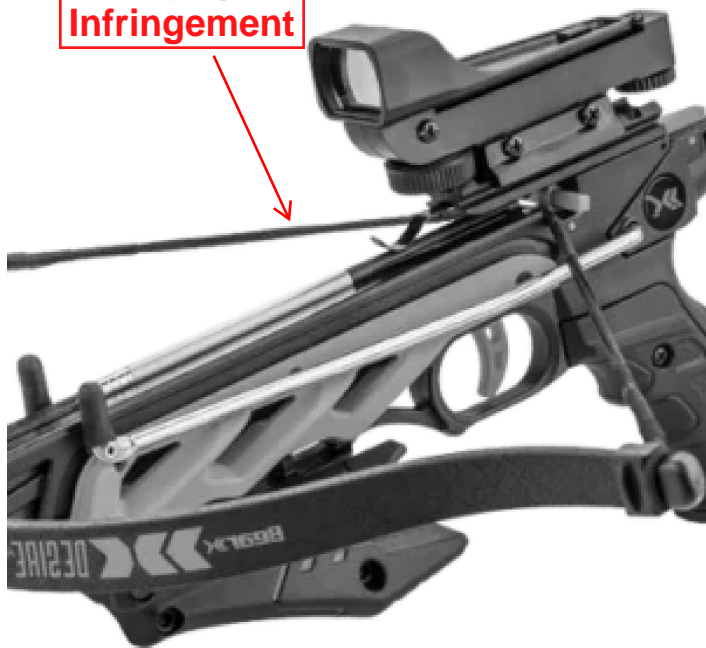
BROWSE COMPOUND BOWS

Copyright
Infringement

SHOP CROSSBOWS

BearX crossbows are designed for dependability, accuracy, and speed. The 2023 collection offers a wide range of solutions ideal for any hunter, whether novice or seasoned, wishing to spend more time in the woods.

Copyright
Infringement



CROSSBOWS
BEAR ARCHERY DESIRE RD CROSSBOW PISTOL
BLACK
\$79.99

Trademark
Infringement

Copyright
Infringement



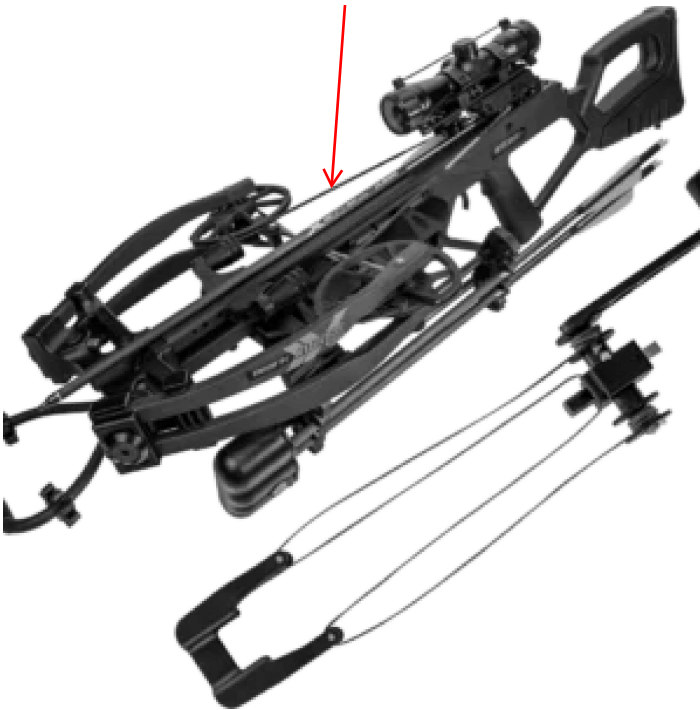
CROSSBOWS
BEAR ARCHERY IMPACT CDXV CROSSBOW
\$999.99

SELECT OPTIONS

Trademark
Infringement

ADD TO BASKET

**Copyright
Infringement**



CROSSBOWS

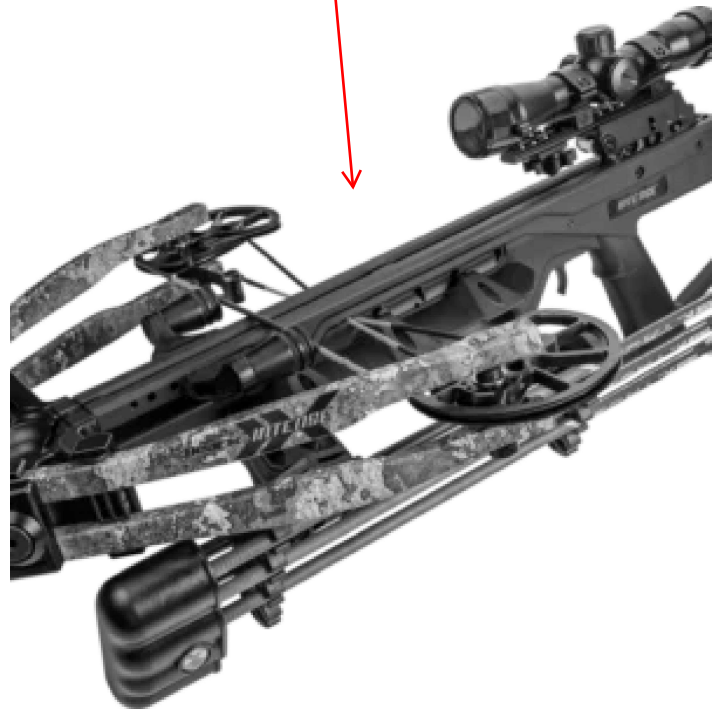
BEAR ARCHERY INTENSE CD CROSSBOW WITH DE-TAC CRANK BLACK

\$599.99

ADD TO BASKET

**Trademark
Infringement**

**Copyright
Infringement**



COMPOUND BOWS

BEAR ARCHERY INTENSE CROSSBOW Truetimber Strata

\$399.99

ADD TO BASKET

**Trademark
Infringement**

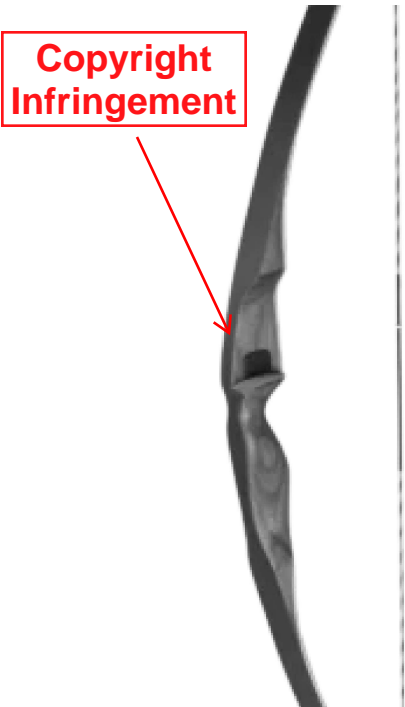
BROWSE CROSSBOWS

**Trademark
Infringement**

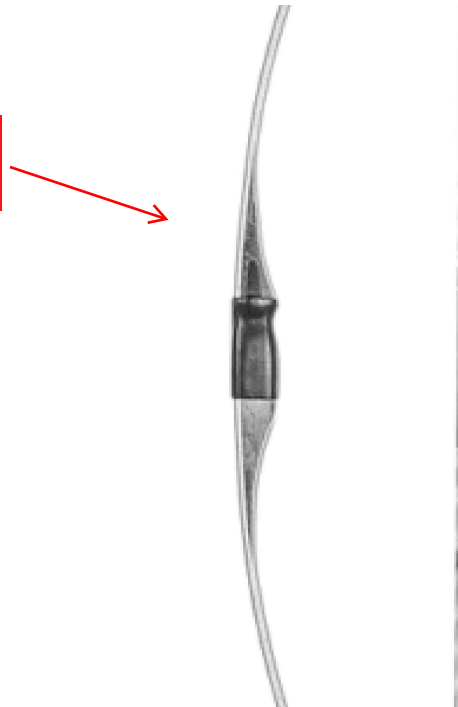
**Copyright
Infringement**

SHOP TRADITIONAL BOWS

At Bear Archery Shop, we're honored to carry on Fred Bear's 90-year legacy. Our 2023 recurve bows and longbows still feature a significant amount of the creativity, foresight, and handiwork that Fred placed into each bow.



Copyright Infringement



TRADITIONAL BOWS
BEAR ARCHERY 90TH ANNIVERSARY GRIZZLY
Shedua/Green Glass
\$469.99

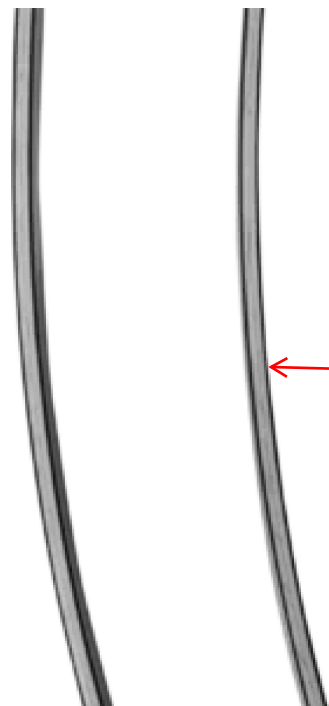
SELECT OPTIONS

Trademark Infringement

TRADITIONAL BOWS
BEAR ARCHERY MONTANA BLACK & GREY
\$469.99

SELECT OPTIONS

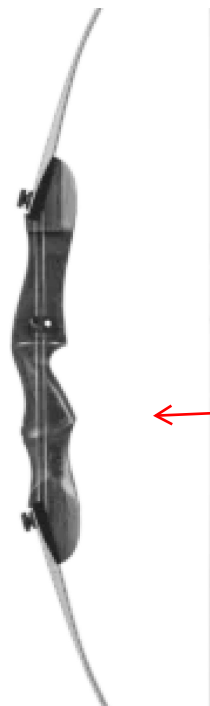
Trademark Infringement



Copyright Infringement

Trademark Infringement

TRADITIONAL BOWS
BEAR ARCHERY TAKE DOWN LIMBS BLACK



Copyright Infringement

Trademark Infringement

TRADITIONAL BOWS
BEAR ARCHERY WOLVERINE BLACK

SELECT OPTIONS

SELECT OPTIONS

BROWSE TRADITIONAL BOWS

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Infringement**

**Copyright
Infringement**

SHOP YOUTH BOWS

Bear Archery has happily held the top spot in youth and institutional archery in America for 90 years. We're aiming to ensure that the sport's future is bright for years to come by producing equipment that precisely meets the needs of beginner and intermediate shooters.

BROWSE YOUTH BOWS

LEAVE US A MESSAGE

Your name

Your email

Subject

Your message (optional)

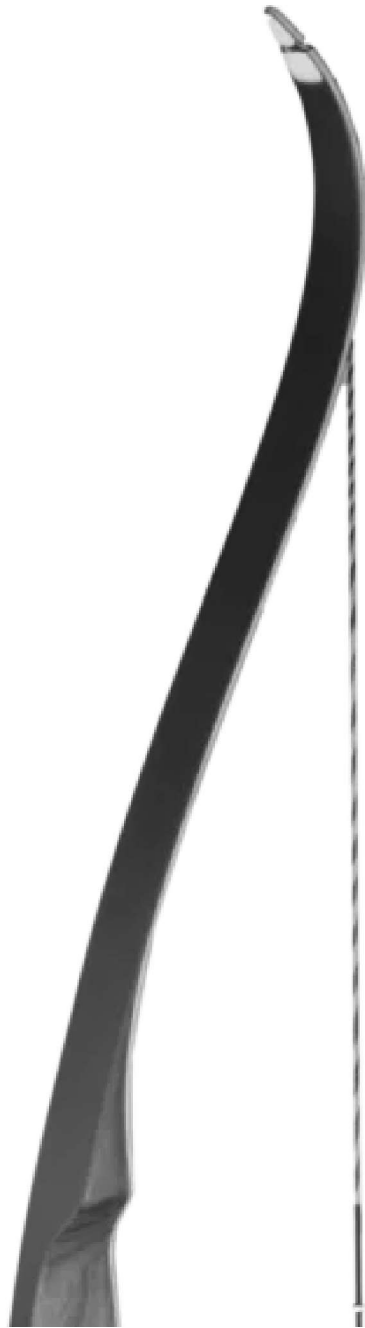
SUBMIT

CONTACT

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Infringement**



**Copyright
Infringement**



HOME / TRADITIONAL BOWS

BEAR ARCHERY 90TH ANNIVERSARY GRIZZLY Shedua/Green Glass



\$469.99

**Trademark
Infringement**



DEXTERITY

Choose an option

DRAW WEIGHT

Choose an option



ADD TO BASKET

**Trademark
Infringement**

SKU: N/A

Category: TRADITIONAL BOWS



DESCRIPTION ADDITIONAL INFORMATION REVIEWS (0)

OVERVIEW

Since 1950, the Grizzly has proven itself as a legendary recurve bow. In 1964, Mr. Bear made the last design changes to the Grizzly, but for 2023 and our 90th anniversary, we are introducing a brand-new design. The value-priced recurve bow is designed for big performance that will go easy on anyone's budget. Whether you are new to traditional archery or an expert, the 90th Anniversary Grizzly recurve bow is a sure shooter for any skill level.

- **SUPERIOR BUILD QUALITY**

Limbs overlaid with clear maple and backed and faced with high-strength green fiberglass

- **CUT-ON CENTER**

Crowned, cut-on center arrow shelf with leather side plate and bear hair arrow rest

- **TIMELESS MATERIALS**

Darcon string

- **NEW LOOK**

All-new iconic design with performance enhancing materials

RELATED PRODUCTS

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Infringement**



CONTACT

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HOME / CROSSBOWS

BEAR ARCHERY DESIRE RD CROSSBOW PISTOL BLACK



\$79.99

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SPEED
175 FPS

DRAW WEIGHT
60 LBS

-

1

+

ADD TO BASKET

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Infringement

Category: CROSSBOWS



DESCRIPTION REVIEWS (0)

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OVERVIEW

The all-new Bear X Desire RD is the perfect compact crossbow pistol. Featuring a forearm grip and self-cocking arm for ease of use and safety, the Desire RD weighs only 1.9 lbs. and has a red dot sight.

- **COMPACT**
Compact design pistol crossbow is user-friendly with self-cocking arm, forearm grip

- **ACCESSORIES**

Includes Red Dot Sight and 3 premium bolts

- **BLAZING SPEDS**

Arrow speeds up to 175 feet per second

- **LIGHTWEIGHT**

Weighs only 1.9 lbs

- **DEPENDABLE ACCURACY**

Engineered for top-of-the-line speed, extreme accuracy, and dependability

RELATED PRODUCTS



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CROSSBOWS	CROSSBOWS	CROSSBOWS	CROSSBOWS
BEAR ARCHERY IMPACT CD	BEAR ARCHERY SPEED	BEAR ARCHERY TREK 380	BEAR ARCHERY TRANCE C
\$999.99	\$199.99	\$299.99	\$499.99

CONTACT

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HOME / COMPOUND BOWS

BEAR ARCHERY ADAPT RTH Left Hand/Right Hand 45-60 Lbs./55-70 Lbs. AVAILABLE IN 4 COLOURS





\$559.99

ADAPT RTH Left Hand/Right Hand 45-60 Lbs./55-70 Lbs. AVAILABLE IN True Timber Strata, Veil Whitetail, Olive, Throwback Tan
AXLE-TO-AXLE
32"

SPEED
320 FPS

DRAW LENGTH
24" – 31"

FINISH	<div>Choose an option</div>
DEXTERITY	<div>Choose an option</div>
DRAW WEIGHT	<div>Choose an option</div>

-1+

ADD TO BASKET

SKU: N/A

Category: COMPOUND BOWS



DESCRIPTION ADDITIONAL INFORMATION REVIEWS (0)

OVERVIEW

Introducing the ADAPT RTH. This single cam, 32" axle-to-axle, 6.5" brace height bow was a joint venture between Bear Archery and the The Hunting Public. The ADAPT RTH features an accommodating 80% let off and fits bowhunters with draw lengths from 24-31". This bow features a new Bear Paw insulated grip – Bear’s most comfortable and ergonomic bow grip to date. With speeds up to 320 FPS, a rock solid back wall from the limb stop, and the smoothest draw cycle on the market, the ADAPT is perfect for chasing any size game. Aaron, Greg, Zack, Jake, Hayden, and Ted built their dream bow and included several features from some of their favorite Bear bows of the past. The ADAPT RTH comes Ready to Hunt with a complete suite of Trophy Ridge accessories which include the following: 5 Spot arrow quiver, Whisker Biscuit V arrow rest, 5” stabilizer, Fatal 4-pin sight, D-loop, and peep sight.

• DESIGNED BY THE HUNTING PUBLIC

The ADAPT was a joint project between Bear Archery and the entire Hunting Public crew

• INDUSTRY’S SMOOTHEST DRAW CYCLE

Features a single cam with a forgiving 80% let off

• PERFECT FOR ANY HUNTING STYLE

The 32" axle-to-axle, ergonomic soft-touch grip, and 6.5" brace height make the ADAPT a great option for spot and stalk, blind, or saddle hunting.

• READY TO HUNT OR BOW ONLY

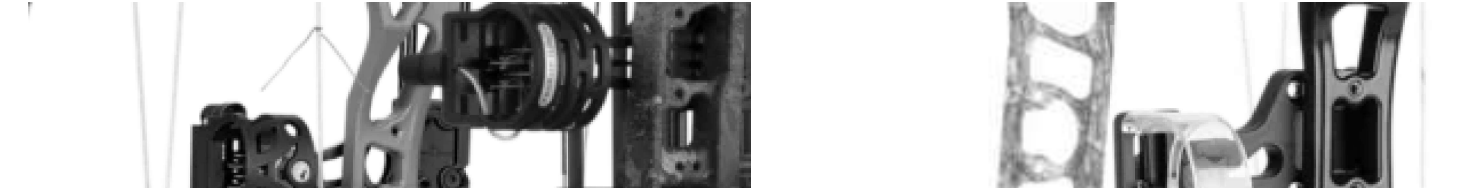
The ADAPT comes either Ready to Hunt or as a bow only option. The RTH version includes a sight, rest, stabilizer, and quiver from Trophy Ridge.

• BEAR PAW® COMFORT GRIP

All-new for the ADAPT bow, the Bear Paw grip offers hunters an ergonomic and comfortable shooting grip

RELATED PRODUCTS

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CONTACT

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WHOIS

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beararcheryshop.com

Updated 3 days ago ↻

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Domain Information

Domain: beararcheryshop.com

Registrar: NameSilo, LLC

Registered On: 2023-05-23

Expires On: 2024-05-23

Updated On: 2023-06-21

Status: clientTransferProhibited

Name Servers: ns1.dns-parking.com
ns2.dns-parking.com

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beararcheryshops.com Buy Now

bearshootingshop.com Buy Now

beararcherystores.com Buy Now

beararcheryshop.net Buy Now

beararcheryshops.net Buy Now

Registrant Contact

Organization: PrivacyGuardian.org llc

Street: 1928 E. Highland Ave. Ste F104 PMB# 255

City: Phoenix

State: AZ

Postal Code: 85016

Country: US

Phone: +1.3478717726

Email: pw-903c675adfd09f513704509c950b5060@privacyguardian.org

Administrative Contact

Name: Domain Administrator

Organization: PrivacyGuardian.org llc

Street: 1928 E. Highland Ave. Ste F104 PMB# 255

City: Phoenix

State: AZ

Postal Code: 85016

Country: US

Phone: +1.3478717726

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Email: **pw-903c675adfd09f513704509c950b5060@privacyguardian.org**

Technical Contact

Name: Domain Administrator

Organization: PrivacyGuardian.org llc

Street: 1928 E. Highland Ave. Ste F104 PMB# 255

City: Phoenix

State: AZ

Postal Code: 85016

Country: US

Phone: +1.3478717726

Email: **pw-903c675adfd09f513704509c950b5060@privacyguardian.org**



Raw Whois Data

Domain Name: beararcheryshop.com
 Registry Domain ID: 2783365987_DOMAIN_COM-VRSN
 Registrar WHOIS Server: whois.namesilo.com
 Registrar URL: https://www.namesilo.com/
 Updated Date: 2023-08-14T07:00:00Z
 Creation Date: 2023-05-23T07:00:00Z
 Registrar Registration Expiration Date: 2024-05-23T07:00:00Z
 Registrar: NameSilo, LLC
 Registrar IANA ID: 1479
 Registrar Abuse Contact Email: **abuse@namesilo.com**
 Registrar Abuse Contact Phone: +1.4805240066
 Domain Status: clientTransferProhibited https://www.icann.org/epp#clientTransferProhibited
 Registry Registrant ID:
 Registrant Name: REDACTED FOR PRIVACY
 Registrant Organization: PrivacyGuardian.org llc
 Registrant Street: 1928 E. Highland Ave. Ste F104 PMB# 255
 Registrant City: Phoenix
 Registrant State/Province: AZ
 Registrant Postal Code: 85016
 Registrant Country: US
 Registrant Phone: +1.3478717726
 Registrant Phone Ext:
 Registrant Fax:
 Registrant Fax Ext:
 Registrant Email: **pw-903c675adfd09f513704509c950b5060@privacyguardian.org**
 Registry Admin ID:
 Admin Name: Domain Administrator
 Admin Organization: PrivacyGuardian.org llc
 Admin Street: 1928 E. Highland Ave. Ste F104 PMB# 255
 Admin City: Phoenix
 Admin State/Province: AZ
 Admin Postal Code: 85016
 Admin Country: US
 Admin Phone: +1.3478717726
 Admin Phone Ext:
 Admin Fax:
 Admin Fax Ext:
 Admin Email: **pw-903c675adfd09f513704509c950b5060@privacyguardian.org**
 Registry Tech ID:
 Tech Name: Domain Administrator
 Tech Organization: PrivacyGuardian.org llc
 Tech Street: 1928 E. Highland Ave. Ste F104 PMB# 255
 Tech City: Phoenix
 Tech State/Province: AZ
 Tech Postal Code: 85016
 Tech Country: US
 Tech Phone: +1.3478717726
 Tech Phone Ext:

Tech Fax:
 Tech Fax Ext:
 Tech Email: **pw-903c675adfd09f513704509c950b5060**@privacyguardian.org
 Name Server: NS1.DNS-PARKING.COM
 Name Server: NS2.DNS-PARKING.COM
 DNSSEC: unsigned
 URL of the ICANN WHOIS Data Problem Reporting System: <http://wdprs.internic.net/>
 >>> Last update of WHOIS database: 2023-08-21T07:00:00Z <<<

For more information on Whois status codes, please visit <https://icann.org/epp>

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Dedicated Servers

Cloud Hosting

Website Builder

Business Email

Enterprise Email

Google Workspace

SSL Certificates

Sitelock

Infrastructure

Datacenter Details

Hosting Security

24 x 7 Servers Monitoring

Backup and Recovery

Support

View Knowledge Base

Contact Support

Report Abuse

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CodeGuard

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